

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION

ARNOLD ANDREWS ABBOTT,)

)

Petitioner,)

vs.)

Case No. 5:13-cv-174-KOB-TMP

)

EDWARD POTTER,

)

Respondent.)


MEMORANDUM OPINION

The magistrate judge filed his report and recommendation on October 17, 2014, recommending dismissal of petitioner's 28 U.S.C. § 2254 petition for *habeas corpus* relief. (Doc. 11). No party filed any objections to the report and recommendation.

Having now carefully considered *de novo* all the materials in the court file, including the report and recommendation, the court finds that the magistrate judge's report is due to be ADOPTED and the recommendation ACCEPTED.

The court FINDS that the petition for *habeas corpus* relief pursuant to 28 U.S.C. § 2254 in the above-styled cause is due to be DISMISSED WITHOUT PREJUDICE.

DONE and ORDERED this 5th day of November, 2014.


KARON OWEN BOWDRE
CHIEF UNITED STATES DISTRICT JUDGE